

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Daria Jerome *et al.*
Serial No.: 09/438,104
Filed: November 10, 1999
Entitled:

Conjugated Linoleic Acid Compositions

Group No.:
Examiner:



RECEIVED
NOV 22 2000

TECH CENTER 1600/2300

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231, on **November 14, 2000**.

By:

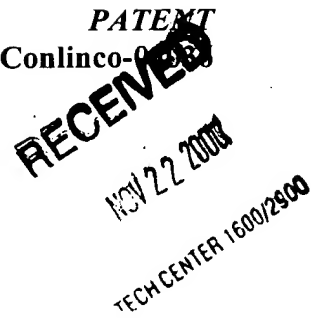
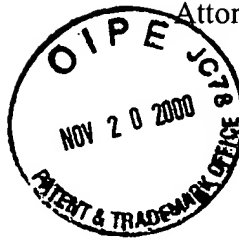

Mary Ellen Waite

Sir or Madam:

This is a Continuation of allowed co-pending application U.S. Serial No. 09/042,767 filed March 17, 1998 which issued into U.S. Patent No. 6,015,833 on January 18, 2000. The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

The following printed publications are referred to in the body of the specification:

- U.S. Patent No. 5,585,400 to Cook, *et al.* on 12/17/96;
- U.S. Patent No. 5,674,901 to Cook, *et al.* on 9/30/97;
- U.S. Patent No. 5,430,066 to Cook, *et al.* on 7/4/95;
- U.S. Patent No. 5,554,646 to Cook, *et al.* on 9/10/96;
- U.S. Patent No. 5,428,072 to Cook, *et al.* on 6/27/95
- U.S. Patent No. 4,164,505 to Krajca on 8/14/79
- WO 97/46230



- WO 98/05318
- WO 98/05319
- WO 97/46118; and
- EP 779,033 A1
- Cowan, "Isomerization and Trans-Esterification," *JAOCS* 72:492-99 (1950)
- Christie *et al.*, "Isomers in Commercial Samples of Conjugated Linoleic Acid," *JAOCS* 74 (11):1231 (1997)
- Christie *et al.* *Lipids* 33(2):217-21 (1998)
- Kepler *et al.*, *J. Biol. Chem.* 241:1350-54 (1966)
- P.W. Parodi, *J. Nutr.* 127(6):1055-60 (1997)
- Belury, Conjugated Dienoic Linoleate: A Polyunsaturated Fatty Acid with Unique Chemoprotective Properties," *Nut. Rev.* 53(4):83-9 (1995)
- Ha *et al.*, *Cancer Res.*, 50:1097 (1991)
- Ha *et al.*, *Cancer Res.*, 52:2035-s (1992)
- Ha *et al.*, *Cancer Res.*, 50:1097 (1990)
- Ip, *Am. J. Clin. Nutr.* 66(6):1523s (1997)
- Sehat *et al.*, "Silver-Ion High-Performance Liquid Chromatographic Separation and Identification of Conjugated Linoleic Acid Isomers," *Lipids* 33(2):217-21 (1998)
- Jie, *et al.*, "High-Resolution Nuclear Magnetic Resonance Spectroscopy - Amplification to Fatty Acids and Triacylglycerols," *Lipids* 32 (10): 1019-34 (1997)
- Theil *et al.*, "Conjugated Linoleic Acid Improves Performance and Body Composition in Swine," Iowa State University, Midwest Animal Sciences Meeting, Abstract 127:61 (1998)

The following printed publications were cited in the parent case, Serial No.

09/072,422 filed May 4, 1998 and issued as U.S. Patent No. 6,060,514 issued May 9, 2000.

- U.S. Patent No. 2,242,230 to Burr on 5/1941
- U.S. Patent No. 2,350,583 to Bradley on 6/1944
- U.S. Patent No. 3,162,658 to Baltes *et al.* on 12/1964

PATENT
RECEIVED
NOV 22 2003
TECH CENTER 1600/2900

- U.S. Patent No. 3,278,567 to Rathjen *et al.* on 10/9/66
- U.S. Patent No. 3,729,379 to Emken on 4/1973
- U.S. Patent No. 4,164,505 to Krajca on 8/1979
- U.S. Patent No. 4,381,264 to Struve on 4/1983
- U.S. Patent No. 5,017,614 to Pariza *et al.* on 5/1991
- U.S. Patent No. 5,070,104 to Pariza *et al.* on 12/1991
- U.S. Patent No. 5,208,356 to Pariza *et al.* on 5/1993
- U.S. Patent No. 5,725,873 to Cook *et al.* on 3/1993
- U.S. Patent No. 5,760,082 to Cook *et al.* on 6/1998
- U.S. Patent No. 5,760,083 to Cook *et al.* on 6/1998
- U.S. Patent No. 5,856,149 to Pariza *et al.* on 01/05/99
- U.S. Patent No. 5,814,663 to Cook *et al.* on 09/29/98
- U.S. Patent No. 5,804,210 to Cook *et al.* on 09/08/98
- U.S. Patent No. 5,827,885 to Cook *et al.* on 10/27/98
- U.S. Patent No. 5,851,572 to Cook *et al.* on 12/22/98
- U.S. Patent No. 5,855,917 to Cook *et al.* on 01/05/99
- U.S. Patent No. 5,986,116 to Iwata *et al.* on 11/16/99
- U.S. Patent No. 5,885,594 to Nilsen *et al.* on 03/23/99
- U.S. Patent No. 5,288,619 to Brown *et al.* on 02/22/94
- U.S. Patent No. 5,468,887 to Gupta on 11/21/95
- WO 97/38137
- WO 97/18320
- WO 98/49129
- WO 96/34855
- WO 97/37546
- GB 558 881
- AU 253031
- Scholfield and Koritalia, "A Simple Method for Preparation of Methyl trans-10,cis-12 Octadecadienoate," *JOACS* 47(8):303 (1970)
- Ron Udell, Information About Conjugated Linoleic Acid, published by Soft Gel Technologies Incorporated

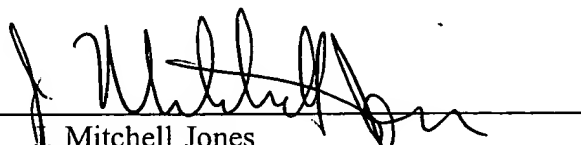
- Sugano *et al.*, "Conjugated Linoleic Acid Modulates Tissue Levels of Chemokine Mediators and Immunoglobulins in Rats," *Lipids*, 33(5):521-27 (1998)
- Matreya Catalog, 1997, pp. 33-34
- Selin CLA Product Literature, 1/97
- Hudtwalcker & Co. AS Technical Data Sheet, exact publication date unknown
- Lipid Technology Newsletter, Peter J. Barnes, Ed., Vol. 4, No. 5, pp 85-86 (October, 1998)
- Natural Lipids Ltd. AS Technical Data Sheet, 1/20/97
- Quinn *et al.*, "A Comparison of Modified Tall Oil and Conjugated Linoleic Acid on Growing-Finishing Pig Growth Performance and Carcass Characteristics," Kansas State University and Lonza, Inc., Midwest Animal Sciences Meeting, Abstract 128:61 (1998)
- Dugan *et al.*, "The Effect of Conjugated Linoleic Acid on Fat to Lean Repartitioning and Feed Conversion in Pigs," *Canadian Journal of Animal Science* 77:723-725 (1997)
- Shantha *et al.*, "Conjugated Linoleic Acid Concentrations in Processed Cheese Containing Hydrogen Donors, Iron and Dairy - Based Additives," *Food Chemistry* 47:257-261 (1993)
- Bradley *et al.*, "Alkali-Induced Isomerization of Drying Oils and Fatty Acids," *Ind. Eng. Chem.* 34(2):237-242 (1942)
- Jie *et al.*, "Synthesis and Nuclear Magnetic Resonance Properties of All Geometrical Isomers of Conjugated Linoleic Acids," *Lipids* 32(10):1041-1044 (1997)
- Arcos *et al.*, "Rapid Enzymatic Production of acylglycerols from conjugated linoleic acid and glycerol in the solvent-free system," *Biotechnology Letters* 20:617 (1998)
- Clement, "Review of the Effects of Trans Fatty Acids, Oleic Acid, n-3 Polyunsaturated Fatty Acids, and Conjugated Linoleic Acid on Mammary Carcinogenesis in Animals," *Am. J. Clin. Nutr.* 66 (Suppl): 1523S-9S (1997)
- Holman *et al.*, "Unusual Isomeric Polyunsaturated Fatty Acids in Liver Phospholipids of Rats Fed Hydrogenated Oil," *PNAS* 88:4830-34 (1991)

RECEIVED
NOV 22 2000
TECH CENTER 1600/2900

- Radlove *et al.*, "Catalytic Isomerization of Vegetable Oils," *Ind. Eng. Chem.* 38(10):997-1002 (1946)
- Sebedio *et al.*, "Linoleic Acid Isomers in Heat Treated Sunflower Oils," *JAOCS* 65(3):362-366 (1988)
- Sebedio *et al.*, "Metabolites of Conjugated Isomers of Linoleic Acid (CLA) in the Rat," *Biochem. Biophys. Acta* 1345:5-10 (1997)
- Chin *et al.*, "Dietary Sources of Conjugated Dienoic Isomers of Linoleic Acids, a Newly Recognized Class of Anticarcinogens," *J. Food. Comp. Anal.* 5:185-197 (1992)
- Park *et al.*, "Effect of Conjugated Linoleic Acid on Body Composition in Mice," *Lipids* 32(8):853-58 (1997)
- Berdeau *et al.*, "A Simply Method of Preparation of Methyl *trans*-10, *cis*-12- and *cis*-9, *trans*-11-Octadecadienoates from Methyl Linoleate," *JAOCS* 75:1749-1755 (1998)

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: November 14, 2000


J. Mitchell Jones
Registration No. 44,174

MEDLEN & CARROLL, LLP
220 Montgomery Street, Suite 2200
San Francisco, California 94104
415/705-8410



Attorney Docket No. Conclino-02036

GAU 1614
PATENT
RECEIVED
NOV 22 2000
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Asgeir Saebo *et al.*
Serial No.: 09/438,104
Filed: November 10, 1999
Entitled: **Conjugated Linoleic Acid Compositions**

Group No.:
Examiner:

**INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL**

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
Dated: <u>November 14, 2000</u>	By: <u>Mary Ellen Waite</u> Mary Ellen Waite

Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

Applicant believes no fees are required but if the Commissioner deems otherwise, the Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: November 14, 2000

J. Mitchell Jones
J. Mitchell Jones
Registration No. 44,174

MEDLEN & CARROLL, LLP
220 Montgomery Street, Suite 2200
San Francisco, California 94104
415/705-8410